

AMENDED IN SENATE APRIL 15, 2015

SENATE BILL

No. 418

Introduced by Senator Morrell

February 25, 2015

An act to add Section ~~66026.5~~ *66610* to the Education Code, relating to ~~public postsecondary education~~: *the California State University*.

LEGISLATIVE COUNSEL'S DIGEST

SB 418, as amended, Morrell. ~~Public postsecondary education: attendance.~~ *California State University: readmission.*

The Donahoe Higher Education Act sets forth the missions and functions of the segments of the higher education system in the state, including, among ~~others~~ *other* segments, the California State University, administered by the Trustees of the California State ~~University~~, and the California ~~Community Colleges~~, administered by the Board of ~~Governors of the California Community Colleges~~. *University. Existing federal law provides that a student whose absence from an institution of higher education is necessitated by service in the uniformed services shall be entitled to readmission to the institution if the cumulative length of the absence does not exceed 5 years.*

~~This bill would require the Trustees of the California State University to amend a specified California regulation by January 1, 2017, to provide that a student's absence due to serving in the uniformed services shall not be considered an interruption in attendance, if the total of those absences does not exceed five years, as specified. By requiring community college districts to change their student absence policy, this bill would impose a state-mandated local program.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions:~~

~~*This bill would require the California State University to comply with that federal law, as specified, and would authorize the Trustees of the California State University to adopt regulations to implement that requirement.*~~

~~Vote: majority. Appropriation: no. Fiscal committee: yes.~~

~~State-mandated local program: *yes-no*.~~

The people of the State of California do enact as follows:

1 ~~SECTION 1. Section 66610 is added to the Education Code,~~
 2 ~~to read:~~

3 ~~66610. The California State University shall comply with~~
 4 ~~Section 668.18(c)(1)(ii) of Title 34 of the Code of Federal~~
 5 ~~Regulations, as that section read on July 1, 2010. The Trustees of~~
 6 ~~the California State University may adopt regulations to implement~~
 7 ~~this section.~~

8 ~~SECTION 1. It is the intent of the Legislature to conform~~
 9 ~~California law, Section 40401 of Title 5 of the California Code of~~
 10 ~~Regulations, regarding approved absences for students at the~~
 11 ~~California State University and the California Community Colleges,~~
 12 ~~to federal law, Section 668.18 of Title 34 of the Code of Federal~~
 13 ~~Regulations, to extend the length of approved absences for students~~
 14 ~~actively serving in the uniformed services to five years.~~

15 ~~SEC. 2. Section 66026.5 is added to the Education Code, to~~
 16 ~~read:~~

17 ~~66026.5. The Trustees of the California State University shall~~
 18 ~~amend, by January 1, 2017, Section 40401 of Title 5 of the~~
 19 ~~California Code of Regulations to provide that the cumulative~~
 20 ~~length of an absence and of all previous absences from the~~
 21 ~~California State University or the California Community Colleges~~
 22 ~~due to service in the uniformed services, including only the time~~
 23 ~~a student spends actually performing service in the uniformed~~

1 services, shall not be considered an interruption in attendance, if
2 the absence does not exceed five years.

3 ~~SEC. 3. If the Commission on State Mandates determines that~~
4 ~~this act contains costs mandated by the state, reimbursement to~~
5 ~~local agencies and school districts for those costs shall be made~~
6 ~~pursuant to Part 7 (commencing with Section 17500) of Division~~
7 ~~4 of Title 2 of the Government Code.~~

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